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**MAILED**  
**SEP 29 2011**  
**OFFICE OF PETITIONS**

In re Application of  
Jeyhan KARAOGUZ et al.  
Application No. 10/667,833  
Filed: September 22, 2003  
Attorney Docket No 14286US02

ON PETITION

This is in response to the petition, filed August 29, 2011, under 37 CFR 1.59(b) to expunge information submitted under MPEP 724.05(II).

The petition is **DISMISSED**.

The petition filed August 29, 2011 requests that the Notice of Appeal and Pre-Appeal Brief Request for Review filed August 29, 2011, be expunged from the record.

A petition to expunge information unintentionally submitted in an application (other than information forming part of the original disclosure) may be filed under 37 CFR 1.59(b), provided that:

- (A) the Office can effect such return prior to the issuance of any patent on the application in issue;
- (B) it is stated that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted;
- (C) the information has not otherwise been made public;
- (D) there is a commitment on the part of the petitioner to retain such information for the period of any patent with regard to which such information is submitted;
- (E) it is established to the satisfaction of the Director that the information to be returned is not material information under 37 CFR 1.56; and
- (F) the petition fee as set forth in 37 CFR 1.17(g) is included.

The instant petition fails to comply with items (B), (C), (D), and (E) above.

For the reasons given above, the petition under 37 CFR 1.59 to expunge the Notice of Appeal and Pre-Appeal Brief Request for Review is dismissed.

Telephone inquiries regarding this decision should be directed to David Bucci at (571) 272-7099.

A handwritten signature in black ink, appearing to read 'David Bucci', is positioned above the printed name.

David Bucci  
Petitions Examiner  
Office of Petitions